

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RADIO MUSIC LICENSE
COMMITTEE, INC.,**

Plaintiff,

v.

**GLOBAL MUSIC RIGHTS, LLC,
Defendant.**

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**CIVIL ACTION
NO.: 16-6076**

**PLAINTIFF’S MOTION FOR TELEPHONIC CONFERENCE
TO SCHEDULE HEARING ON PRELIMINARY INJUNCTION MOTION
AND MEMORANDUM IN SUPPORT**

Plaintiff Radio Music License Committee, Inc. (“RMLC”) respectfully moves the Court to hold a telephonic conference this week to discuss a schedule for the hearing on RMLC’s motion for a preliminary injunction (Dkt No. 3). RMLC’s motion seeks to prevent the imminent irreparable harm that Defendant Global Music Rights, LLC (“GMR”) is threatening to perpetrate on the U.S. commercial radio industry beginning January 1, 2017. Without a preliminary injunction, GMR will be free to sue commercial radio stations for copyright infringement or force them into taking a license whose effects will cascade into RMLC’s negotiations with other performing rights organizations, inflicting harm that is not recoverable in damages from GMR.

RMLC filed its complaint and preliminary injunction motion on November 18, 2016, and provided courtesy copies of those papers to GMR on November 20.¹ On November 23, the Honorable Judge Darnell Jones, II referred this matter to the Honorable Magistrate Judge Lynne A. Sitarski “for a hearing and Report and Recommendation regarding Plaintiff’s Motion for Preliminary Injunction” (Dkt No. 9).

¹ RMLC perfected formal service on GMR’s registered agent on November 29, 2016.

In light of the looming January 1 deadline, RMLC respectfully requests that the Court hold a telephone conference this week to set a schedule for the preliminary injunction hearing. Daniel M. Petrocelli from O'Melveny & Meyers LLP has advised counsel for RMLC that he will be representing GMR in this litigation. Although Mr. Petrocelli has not yet formally appeared in this case, RMLC will be providing this motion to him via email and overnight mail. If the Court schedules a telephone conference this week, counsel for RMLC will promptly notify Mr. Petrocelli.

Dated: December 5, 2016

Respectfully submitted,

/s/ Peter J. Mooney

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Attorneys for Plaintiff
Radio Music License Committee

CERTIFICATE OF SERVICE

The undersigned certifies that, on December 5, 2016, the foregoing Motion for Telephonic Conference to Schedule Hearing on Preliminary Injunction Motion and Memorandum in Support, and Proposed Order, were electronically filed using the CM/ECF System and served on the following counsel for Defendant via email and via overnight mail:

Daniel M. Petrocelli
O'Melveny & Myers LLP
1999 Avenue of the Stars
Los Angeles, CA 90067-6035

and served on the following registered agents for Defendant via overnight mail:

Leeann Hard
Global Music Rights, LLC
201 Santa Monica Boulevard, Suite 480
Santa Monica, CA 90401

Paracorp Inc.
Global Music Rights, LLC
2140 S. Dupont Highway
Camden, DE 19934

/s/ Peter J. Mooney
Peter J. Mooney

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[PROPOSED] ORDER

AND NOW, this __ day of December, 2016, upon consideration of Plaintiff's Motion for Telephonic Conference to Schedule Hearing on Preliminary Injunction Motion, **IT IS HEREBY ORDERED** that a conference shall be held by telephone on December ____, at ____.

Counsel for Plaintiff shall initiate the call to Chambers.

BY THE COURT,

LYNNE A. SITARSKI
UNITED STATES MAGISTRATE JUDGE